

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS - Police - Representation of Sri A.Vivekananda Swamy, formerly Addl.SP, Vizianagaram (now retired) - Regularization of suspension period from 23.6.1990 to 12.8.1991 as 'On Duty' - Allowed - Orders - Issued.

HOME (SERVICES-I) DEPARTMENT

G.O.Rt.No. 2196

Dated: 11/12/2009
Read the following:-

1. From Sri A.Vivekananda Swamy, formerly Addl.SP., Vizianagaram (now retired), representation dated 23.7.2002.
2. Govt.Memo No.26837/Ser.I(2)/2002-2, dated 17.9.2002.
3. From the Director General of Police, A.P., Hyderabad, Lr.C.No.690/GE.II/A2/2003, dated 28.6.2004.
4. Govt.Memo No.26837/Ser.I(2)/2002-10, dated 29.1.2005.
5. From the Director General of Police, A.P., Hyderabad, Letter C.No.690/O2/2003, dated 23.9.2005.
6. Govt. Memo No.26837/Ser.I(2)/2002-12, dated 6.10.2005.
7. From the Director General of Police, A.P., Hyderabad, Letter C.No.690/O2/03, dated 24.7.2007.
8. Govt.Memo No.26837/Ser.I/A2/2007-17, dated 24.8.2007.
9. From the Director General of Police, A.P., Hyderabad, Letter C.No.690/O2/03, dated 20.7.2009.

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O R D E R :

In the reference 1st read above, Sri A.Vivekananda Swamy, formerly Addl.Superintendent of Police, Vizianagaram (now retired) has submitted a representation to the Government, requesting to regularize his suspension period from 23.6.90 to 12.8.91 as 'On Duty' for the reasons mentioned therein.

2. The Director General of Police, A.P., Hyderabad, who was consulted in the matter has reported that Sri A.Vivekananda Swamy, while working as Inspector of Police, Vijayawada was placed under suspension vide his proceedings Rc.No.1092/T3/90, dated 30.5.90 on a prima facie case of reprehensible conduct and dishonest investigation in a murder case in Cr.No.15/88 u/s 302 IPC of 4th Town, PS, Vijayawada. Subsequently, he was released from suspension vide G.O.Rt.No.2127 (Pol.E) Dept., dated 18.7.91. The matter was under investigation with the CID. Later, he was promoted as DSP and Addl.SP and retired as Addl.SP on 30.4.2003. Further, disciplinary action was not initiated while the delinquent officer was in service and as per the limitation period indicated in rule-9(2)(b) of A.P. Revised Pension Rules, 1980, it cannot be initiated at this point of time. Therefore, the Director General of Police, A.P., Hyderabad has requested the Government to regularize the suspension period of Sri A.Vivekananda Swamy, formerly Addl.SP (now retired), from 23.6.90 to 12.8.91, so that the pensionary benefits could be settled.

3. After careful examination of the entire matter with reference to the records made available, Government have observed that delinquency pertains to 1988 and the delinquent officer was retired from service on 30.4.2003, and disciplinary proceedings were not initiated against him so far and also not possible to initiate at this distance of time. As per the Circular Memo No.32818-A/521/FR.I/2008, dated 5.12.2008, if the delinquent officer is involved in a criminal case, the said suspension period can be treated as 'not on duty'. But, in the instant case, the delinquent officer is not an accused in the said Criminal case No.15/88 u/s 302 IPC of 4th Town, PS, Vijayawada

and he was only an investigating officer, while he was working as Inspector of Police at Vijayawada. Therefore, Government hereby regularize the period of suspension of Sri A.Vivekananda Swamy, formerly Inspector of Police, Vijayawada and retired as Addl.SP, Vizianagaram, from **23.06.1990 to 12.08.1991** as '**On Duty**' for enabling him to get the pensionary benefits.

4. The Director General of Police, A.P., Hyderabad is requested to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General of Police, A.P., Hyderabad

The Individual concerned

through Director General of Police, A.P., Hyderabad

Copy to:

The Accountant General (A&E), Andhra Pradesh, Hyderabad.

The Director of Treasuries & Accounts, A.P. Hyderabad.

SF/SC

// Forwarded :: by order //

SECTION OFFICER